

OFFICE OF THE CLERK
UNITED STATES COURT OF APPEALS
FOR THE FIRST CIRCUIT

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NOTICE OF AMENDMENT TO LOCAL RULE 47.0

Pursuant to 28 U.S.C. § 2071(e), the court has determined that there is an immediate need to amend Local Rule 47.0 to change the number of members of the Advisory Committee on Rules. The rule currently provides for eight members; a minimum of nine members is required to meet the term and rotation requirements set by the rule.

These amendments are effective immediately. A copy of the amended rule is attached. Additions are indicated in *italics*; deletions are indicated in ~~strike-out~~ print. The court hereby invites public comments on these amendments. Comments should be submitted by July 17, 2009 and addressed to:

Office of the Clerk
U.S. Court of Appeals for the First Circuit
United States Courthouse
1 Courthouse Way, Suite 2500
Boston, Massachusetts 02210

May 18, 2009

Richard Cushing Donovan, Clerk

Local Rule 47.0. Local Rules of the First Circuit

(a) Advisory Committee

(1) **Membership.** In accordance with 28 U.S.C. § 2077(b) an advisory committee on the rules of practice and internal operating procedures is hereby created for the court. This committee shall consist of members of the Bar of the court as follows: Three members from the District of Massachusetts, two members from the District of Puerto Rico and one each from the Districts of Maine, New Hampshire and Rhode Island. *In addition, a ninth member shall be appointed, which position shall rotate among the five districts.*

(2) **Duties.** The advisory committee shall have an advisory role concerning the rules of practice and internal operating procedures of the court. The advisory committee shall, among other things,

- (A) provide a forum for continuous study of the rules of practice and internal operating procedures of the court;
- (B) serve as a conduit between the bar and the public and the court regarding procedural matters and suggestions for changes;
- (C) consider and recommend rules and amendments for adoption; and
- (D) render reports from time to time, on its own initiative and on request, to the court.

(3) **Terms of Members.** The members of the advisory committee shall serve three-year terms, which will be staggered ~~commencing on October 1, 1986~~, so that three new members will be appointed every year in such order as the court decides. The court shall appoint one of the members of the committee to serve as chairman.

- (b) **Comments from Members of the Bar.** Prior to the adoption of a proposed amendment to these Rules, if time permits, the court will seek the comments and recommendations of interested members of the bar through the office of the clerk and with the aid of the advisory committee created pursuant to 28 U.S.C. § 2077.

